

Amendments to the Claims:

Please cancel claims 11, 20 and 31-38 without prejudice. Please amend claims 1, 12, 21 and 22 as follows.

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An apparatus comprising:

(A) a photometric unit for receiving object light and converting the object light into luminance signals of a plurality of areas; ~~[and]~~

(B) a control unit for calculating a histogram of a luminance distribution on the basis of the luminance signals of the plurality of areas converted by said photometric unit[,]; and

(C) a luminance level deciding unit for deciding an area which is regarded as having a predetermined luminance level in the histogram,

wherein ~~[when a rate that a predetermined luminosity level occupies exceeds a reference point in a pattern of the calculated histogram,]~~ said control unit controls a light emission of an illumination device ~~[on the basis of luminance signals obtained by excluding luminance signals of predetermined luminance levels from the luminance signals]~~ so as to be not affected by an area which is decided as to have the predetermined luminance level by said

luminance level deciding unit and in which the distribution of the histogram exceeds a reference point.

2.-9. (Canceled)

10. (Original) The apparatus according to claim 1, wherein said apparatus includes an image sensing apparatus.

11. (Canceled)

12. (Currently Amended) An apparatus comprising:

(A) a photometric unit for receiving object light and converting the object light into luminance signals of a plurality of areas; ~~and~~

(B) a control unit for calculating a histogram of a luminance distribution on the basis of the luminance signals of the plurality of areas converted by said photometric unit~~;~~; and

(C) a luminance level deciding unit for deciding an area which is regarded as having a predetermined luminance level in the histogram,

wherein ~~[when a rate that a predetermined luminosity level occupies exceeds a reference point in a pattern of the calculated histogram,]~~ said control unit controls a light emission in a case of a flash photographing operation ~~[on the basis of luminance signals obtained by excluding luminance signals of predetermined luminance levels from the luminance signals]~~ so as to be not affected by an area which is decided as to have the predetermined luminance level by said luminance level deciding unit and in which the distribution of the histogram exceeds a reference point.

13.-18. (Canceled)

19. (Original) The apparatus according to claim 12, wherein said apparatus includes an image sensing apparatus.

20. (Canceled)

21. (Currently Amended) An illumination device control method comprising:

a step of receiving object light;

a step of converting the object light into luminance signals of a plurality of areas;

a step of calculating a histogram of a luminance distribution on the basis of the converted luminance signals of the plurality of areas; ~~and~~

a step of deciding an area which is regarded as having a predetermined luminance level in the histogram; and

a step of controlling a light emission of an illumination device [on the basis of luminance signals obtained by excluding luminance signals of predetermined luminance levels from the luminance signals when a rate that a predetermined luminosity level occupies exceeds a reference point in a pattern of the calculated histogram] so as to be not affected by an area which is decided as to have the predetermined luminance level by said luminance level deciding unit and in which the distribution of the histogram exceeds a reference point.

22. (Currently Amended) A flash photographing method comprising:

a step of receiving object light;

a step of converting the object light into luminance signals of a plurality of areas;

a step of calculating a histogram of a luminance distribution on the basis of the converted luminance signals of the plurality of areas; ~~and~~

a step of deciding an area which is regarded as having a predetermined luminance level in the histogram; and

a step of controlling a light emission in a case of flash photographing operation ~~[on the basis of luminance signals obtained by excluding luminance signals of predetermined luminance levels from the luminance signals when a pattern of the calculated histogram indicates that luminance signals concentrate on a predetermined luminance level to not less than a predetermined degree]~~ so as to be not affected by an area which is decided as to have the predetermined luminance level by said luminance level deciding unit and in which the distribution of the histogram exceeds a reference point.

23.-26. (Canceled)

27. (Previously Presented) The apparatus according to claim 1, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

28. (Previously Presented) The apparatus according to claim 12, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

29. (Previously Presented) The apparatus according to claim 21, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

30. (Previously Presented) The apparatus according to claim 22, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

31-38. (Cancelled)